

February 8, 2013

VIA ELECTRONIC AND FIRST CLASS MAIL

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Re: Lower Passaic River Study Area Focused Feasibility Study

Dear Sarah,

We understand that the Region is about to submit, or has submitted, at least the modeling portion of its draft Focused Feasibility Study to a peer review panel. We have two comments on that subject.

First, we believe the peer reviewers should have the benefit of the comments the CPG submitted to the NRRB with respect to modeling. We request that you provide those comments to the peer reviewers. If you would prefer that I do so, please let me know. Could you also please provide me with a copy of the charge questions given to the peer reviewers.

Second, we understand that the panel of peer reviewers will include at least three individuals who have had substantive involvement in the LPRSA project, including the modeling developed for the FFS. As a result, those individuals are no longer "independent" and are ineligible to act as peer reviewers under EPA's Peer Review Handbook ("[t]he goal of peer review is to obtain an independent, third party review of the product from experts who have not substantially contributed to its development" Peer Review Handbook at p. 12-13). Please exclude these individuals from further participation in the peer review of the FFS model.

Please confirm to me that the CPG comments on the FFS modeling included in their submission to the NRRB will be made available to the peer reviewers and that the proposed peer reviewers who have had substantive involvement in the FFS modeling will be excluded from further participation in the peer review process.

Please include this letter in the administrative record for the FFS.

Very truly yours,

William H. Hyatt, Jr.
Coordinating Counsel
LPRSA Cooperating Parties Group

cc: CPG members

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